

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

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**TENTATIVE  
ORDER NO. R9-2019-0220  
AMENDING  
ORDER NO. R9-2015-0009  
NPDES NO. CA0109142  
FOR  
TRANSFER OF PERMIT RESPONSIBILITY, COVERAGE AND LIABILITY  
FROM CONTINENTAL MARITIME OF SAN DIEGO TO HII SAN DIEGO SHIPYARD,  
INC**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), finds that:

**Background**

1. On March 16, 2015, the San Diego Water Board adopted Order No. R9-2015-0009 (NPDES No. CA0109142), establishing waste discharge requirements for Continental Maritime of San Diego (Discharger) to discharge industrial storm water into San Diego Bay.
2. By letter dated August 6, 2018, the Discharger notified the San Diego Water Board of a legal company name change to Huntington Ingalls (HII) San Diego Shipyard, Inc. By email dated October 23, 2019, the Discharger further revised the requested name change to HII San Diego Shipyard, Inc.

**Purpose of this Order**

3. The San Diego Water Board is amending Order No. R9-2015-0009 to change the Discharger's name to HII San Diego Shipyard, Inc.

**Legal Authorities**

4. Section 122.41(I)(3) of title 40 of the Code of Federal Regulations authorizes the modification of Order No. R9-2015-0009 to change the name of the Discharger. Section 13263(e) of the California Water Code provides that the San Diego Water Board may, upon application by any affected person, or on its own motion, review and revise waste discharge requirements.
5. Order No. R9-2015-0009 is not being reopened for any other purpose than the revisions contained herein. Except as contradicted or superseded by the findings and directives set forth in this Order, all of the previous findings and directives of Order No. R9-2015-0009 shall remain in full force and effect.

### California Environmental Quality Act

6. This action is exempt from the requirement for preparation of environmental documents under the California Environmental Quality Act (Public Resources Code, division 13, chapter 3, section 21000 *et seq.*) in accordance with section 13389 of the Water Code.

### Public Participation

7. The San Diego Water Board has notified all known interested parties of its intent to adopt this Order and has provided them with an opportunity to submit their written comments and recommendations.
8. The San Diego Water Board in a public meeting heard and considered all comments pertaining to adoption of this Order.
9. Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 *et seq.* The State Water Board must receive the petition by 5:00 p.m., 30 days after the adoption date of this Order. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

### IT IS HEREBY ORDERED:

1. This Order amends Order No. R9-2015-0009, NPDES No. CA0109142, as described in the revised text below. Added text to Order No. R9-2015-0009 is displayed in red-underline text and deleted text is displayed as ~~red-strikeout~~ text. Modifications to Order No. R9-2014-0009 were made to the following sections:

<u>Page No.</u>	<u>Section No.</u>
1	Title
1	Table 1
4	Section I
B-1	Attachment B. Figure B-1 Location Map
F-2	Attachment F. Section I.A
F-2	Attachment F. Section 1.A, Table F-1
F-3	Attachment F. Section I.D
F-27 thru F-29	Attachment F. Section VIII

Revise Tentative Order, page 1, Title is modified in relevant part as follows:

“...ORDER R9-2015-0009

AS AMENDED BY ORDER NO. R9-2019-0220

NPDES NO. CA0109142

WASTE DISCHARGE REQUIREMENTS  
FOR

HII SAN DIEGO SHIPYARD, INC.  
FORMERLY CONTINENTAL MARITIME OF SAN DIEGO  
FOR CONTINENTAL MARITIME OF SAN DIEGO  
DISCHARGE TO SAN DIEGO BAY”

Revise Tentative Order page 1, Table 1 is modified in relevant part as follows:

“...Discharger ~~Continental Maritime of San Diego~~ HII San Diego Shipyard, Inc.  
Name of Facility ~~Continental Maritime of San Diego~~ HII San Diego Shipyard”

Revise Tentative Order page 4, Section I is modified in relevant part as follows:

“...Information describing ~~Continental Maritime of San Diego~~ HII San Diego Shipyard (Facility) is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility’s permit application.”

Revise Tentative Order page B-1, Attachment B. Figure B-1 Location Map is modified in relevant part as follows:

“...~~Continental Maritime~~ HII San Diego Shipyard”

Revise Tentative Order page F-2, Attachment F. Section I.A is modified in relevant part as follows:

“...A. ~~Continental Maritime of San Diego~~ HII San Diego Shipyard, Inc. (Discharger) is the operator of ~~Continental Maritime of San Diego~~ HII San Diego Shipyard (Facility), a shipyard for the conversion and repair of a wide range of naval surface vessels owned by the U.S. Navy and marine vessels owned by other commercial customers.”

Revise Tentative Order page F-2, Attachment F. Section 1.A, Table F-1 is modified in relevant part as follows:

“... Discharger ~~Continental Maritime of San Diego~~ HII San Diego Shipyard, Inc.  
Name of Facility ~~Continental Maritime of San Diego~~ HII San Diego Shipyard”

Revise Tentative Order page F-3, Attachment F. Section I.D is modified in relevant part as follows:

“...D. By letter dated August 6, 2018, the Discharger notified the San Diego Water Board of a legal company name change to Huntington Ingalls (HII) San Diego Shipyard, Inc. By email dated October 23, 2019, the Discharger revised the requested name change to HII San Diego Shipyard, Inc. Amending Order No. R9-2019-0220 revised the language in this Order to change the name of the Discharger to HII San Diego Shipyard, Inc.”

Revise Tentative Order pages F-27 through F-29, Attachment F, Section VIII is modified in relevant part as follows:

“...The San Diego Water Board has considered the issuance of WDRs that will serve as an NPDES permit for Continental Maritime of San Diego and following transfer of permit responsibility, coverage, and liability in December 2019, for Hill San Diego Shipyard, Inc. As a step in the WDR adoption process, the San Diego Water Board staff developed tentative WDRs and encouraged public participation in the WDR adoption process...”

“...D. Order No. R9-2019-0220 Amending the Order

On November 1, 2019, the San Diego Water Board provided public notice of its intent to consider adoption of an amendment to the Order at a December 11, 2019 public hearing and provided a period of at least thirty days for review and comment on the Tentative Amending Order No. R9-2019-0020 (Amending Order). The Notice of Public Hearing and Opportunity to Comment (Notice) and the Amending Order were posted on the San Diego Water Board website for at least the duration of the 30-day comment period. A copy of the Notice and the Tentative Amending Order were also sent by email dated November 1, 2019 to the Discharger and all known interested agencies and persons. Notice of the public hearing on the Amending Order was also provided in the Meeting Notice and Agenda for the December 11, 2019 San Diego Water Board meeting, which was posted on the San Diego Water Board website more than 10 days prior to the meeting. The public also had access to the agenda and any changes in dates and locations through the San Diego Water Board’s website at <http://www.waterboards.ca.gov/sandiego/>

The Discharger and interested persons were invited to submit written comments concerning the Amending Order as provided through the notification process. Comments were due either in person or by mail to the Executive Officer at the San Diego Water Board at 2375 Northside Drive, Suite 100, San Diego, CA 92108 or by email to [sandiego@waterboards.ca.gov](mailto:sandiego@waterboards.ca.gov). The San Diego Water Board provided written responses to all timely received public comments on the Amending Order and posted the response to comments document on the Board’s website in advance of the public hearing date.

The San Diego Water Board held a public hearing on the Amending Order, heard and considered all public comments, and adopted the Amending Order during its regular Board meeting on the following date and time and at the following location:

Date: Wednesday, December 11, 2019

Time: 9:00 AM

Location: San Diego Water Board  
San Diego Water Board Meeting Room  
2375 Northside Drive, Suite 100  
San Diego, CA 92108”

“... G.H. Additional Information

Requests for additional information or questions regarding this Order should be directed to Vicente Rodriguez at (619) 521-3966 or [vrodriquez@waterboards.ca.gov](mailto:vrodriquez@waterboards.ca.gov).

~~Kristin Schwall at (619) 521-3368 or [kschwall@waterboards.ca.gov](mailto:kschwall@waterboards.ca.gov) or to Ben Neill at (619) 521-3376 or [bneill@waterboards.ca.gov](mailto:bneill@waterboards.ca.gov).~~

2. The amended version of Order No. R9-2015-0009 shall become effective on December 11, 2019.
3. San Diego Water Board staff is directed to prepare and post a conformed copy of Order No. R9-2015-0009 incorporating the revisions made by this Order.

I, David W. Gibson, Executive Officer, do hereby certify that this Order is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on December 11, 2019.

TENTATIVE

David W. Gibson  
Executive Officer